



**U.S. Department of Justice
U.S. Attorney's Office
Western District of Texas**

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FOR IMMEDIATE RELEASE

May 17, 2006

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**FEDERAL GRAND JURY IN SAN ANTONIO INDICTS \$3.9 MILLION HEALTH CARE
FRAUD CASE**

U.S. Attorney Johnny Sutton announced today that a federal grand jury in San Antonio, Texas, returned a thirty-two count indictment charging five individuals with health care fraud related offenses.

The grand jury charged Mark W. Forster; aka Richard Aguilar, Paul E. Forster, Caleb S. Miller, David R. Garcia, Sr., and Bradley J. Nasser with Conspiracy to Commit Mail Fraud, Mail Fraud and Health Care Fraud. The scheme for which the defendants are charged involves the diversion of fraudulently acquired pharmaceuticals including prescription drugs and pharmaceutical products. The defendants set up two fraudulent pharmacies, Miller Pharmacy Network in El Paso and Metro American Long Term Care in San Antonio.

The indictment alleges that the two companies joined a group purchasing organization and purchased products from McKesson Corporation at deeply-discounted rates reserved for institutional providers such as nursing homes, prisons, and institutions serving indigent patients.

It further alleges that the two companies sold the products and shipped them to wholesale companies in violation of the participation agreement with the group purchasing organization, and in violation of federal law.

It is estimated by the government that Miller Pharmacy Network and Metro American Long Term Care combined fraudulent purchases from McKesson Corporation at the discounted rates total approximately \$3,988,721.44.

This case is being investigated by the FBI, and the Texas State Board of Pharmacy. Assistant United States Attorneys Judith Patton and Charlie Jenkins are prosecuting this case for the government.

An indictment is a formal accusation of criminal conduct, not evidence of guilt. The defendants are presumed innocent unless and until convicted through due process of law.

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